

State of Kansas, Military Department
The Adjutant General's Office
Topeka, Kansas, 20 June 1988

ELIGIBILITY FOR RETIRED PAY AT AGE 60

THIS REGULATION IMPLEMENTS AR 135-180 AND SETS POLICY OF THE ADJUTANT GENERAL
PERTAINING TO QUALIFYING SERVICE AND APPLICATION PROCEDURES FOR RETIRED PAY
BENEFITS FOR MEMBERS OF THE KANSAS ARMY NATIONAL GUARD.

CHAPTER I - GENERAL	Paragraph	Page
References	1-1	1-1
Policy.	1-2	1-1
Purpose	1-3	1-1
Explanation of Terms.	1-4	1-1
CHAPTER II - CRITERIA		
Eligibility	2-1	2-1
Notification of Retired Pay Eligibility	2-2	2-1
Application for Retired Pay	2-3	2-2
Date Retired Pay Begins	2-4	2-2
CHAPTER III - BENEFITS		
Annuities Under Civil Service	3-1	3-1
Dual Compensation	3-2	3-1
Payment of Pension and Compensation by the Veterans Administration	3-3	3-1
Survivor Benefits	3-4	3-1
Medical Care.	3-5	3-1
Commissary and Exchange Privileges.	3-6	3-1
APPENDICES		
APPENDIX A.		A-1
APPENDIX B.		B-1
APPENDIX C.		C-1

CHAPTER I - GENERAL

1-1. References.

- a. AR 135-180.
- b. KNGR 608-9.

1-2. Policy. The provisions of AR 135-180 are applicable to the Kansas Army National Guard except as modified/supplemented herein.

1-3. Purpose. This regulation prescribes the criteria and procedures for effecting Notification of Eligibility for Retired Pay at Age 60 for officers, warrant officers and enlisted personnel of the Kansas Army National Guard.

1-4. Explanation of Terms.

a. Retired Pay. Pay granted members and former members of the reserve components under Title 10, United States Code, Section 1331, after completion of 20 or more years of qualifying Federal service and upon attaining age 60.

b. Grade Determination for Retirement or Retired Pay. Determination of highest grade held will be made in accordance with paragraph 2-11c, AR 135-180.

c. Members and Former Members. A member of a reserve component is one who holds a current status in a reserve component. Generally, for officers of the Army Reserve an individual who accepted an indefinite term appointment under the provisions of Title 10, United States Code, Chapter 337, and whose appointment has not been terminated, is a current member. A former member is one who formerly held status in a reserve component, but does not hold a current status in any such component.

d. Years for Percentage Purposes. This denotes total qualifying service converted to years for use as a multiplier in determining retired pay. (paragraphs 2-10 and 2-11b, AR 135-180).

CHAPTER II - CRITERIA

2-1. Eligibility:

a. Eligibility criteria is contained in Chapter 2, AR 135-180.

b. All personnel should be fully aware of all information contained in paragraph 2-1, AR 135-180. Questionable periods of service and service claimed by individuals that cannot be clearly identified as creditable for retired pay benefits will be resolved at the earliest possible date. In no instance, should an individual assume that all service is creditable for retirement. Requests for verification of service will be submitted through channels to this office, ATTN: DOP, in sufficient time to ensure eligibility prior to requesting separation and/or discharge to preclude loss of benefits at some future date.

2-2. Notification of Retired Pay Eligibility:

a. Chief, National Guard Bureau has delegated the responsibility to this office to establish controls to ensure accurate and timely submission of data necessary to obtain notification of eligibility for retired pay at age 60 for all members of the Kansas Army National Guard.

b. As individuals complete 20 years of service, each case must be submitted individually at the end of retirement year. Forward original and two (2) copies of Appendix A to this regulation, on each individual reported. Do not forward request until end of retirement year that individual completes his 20 years (Example: Retirement year ends 31 May 1973; 20 years service completed 4 June 1973. You would not send request until after 31 May 1974).

c. Each entry in paragraph 2 of Appendix A (AGO Kan Form 18) must be verified by an attached document (DD Form 214, a copy of NGB Form 23, etc, or SF 180) except for periods of Army or Air National Guard service not covered by current NGB Form 23 maintained at unit level. This office has record of Army and Air National Guard service for individuals who have served in the Kansas ARNG and ANG prior to periods covered by current NGB Form 23. Requests for verification will not be delayed due to lack of substantiating documents. NGB Forms 22 and special orders will not be submitted as evidence of service.

d. Records to be enclosed for verification cannot be returned, therefore only copies or true copies of such records are to be forwarded.

e. If service claimed cannot be verified by records on hand, a Standard Form 180 will be prepared. For verification of reserve service, the unit designation and location must be included. This office will forward the SF 180 to the appropriate agency for verification of service claimed by the individual.

2-3. Application for Retired Pay:

a. It is the responsibility of each qualified individual to submit his application for retired pay. DD Form 108 is the only form on which application for this pay will be made. DA Form 4240 will also be completed and submitted with DD Form 108. Applications submitted by letter or any other form will not be honored.

b. DD Form 108 and DA Form 4240 may be obtained upon request from this office, ATTN: DOP, not earlier than 180 days before applicant's 60th birthday or upon qualification for retired pay after age 60.

c. Individuals who fail to apply for retired pay upon attainment of qualification for such pay, may submit their application at any time. Individuals who apply after the 6th annual anniversary of initial accrual are subject to loss of pay as indicated in paragraph 2-5, AR 135-180.

2-4. Date Retired Pay Begins:

a. Orders will be issued by RCPAC announcing the effective date eligible persons are entitled to retired pay. This pay will begin on the day the individual qualifies therefore, or any later date as elected on the application form, unless the statute of limitations applies.

CHAPTER III - BENEFITS

3-1. Annuities Under Civil Service. Persons entitled to receive retired pay under these provisions may concurrently receive annuities under the provisions of Title 5, United States Code, Section 8331-8348. (See 5 U.S.C. 8332(c) and 10 U.S.C. 1336).

3-2. Dual Compensation. Persons authorized retired pay under AR 135-180 are exempt from the restriction of the Dual Compensation Act of 1964.

3-3. Payment of Pension and Compensation by the Veterans Administration. Persons authorized retired pay under AR 135-180 who are receiving a pension or compensation from the Veterans Administration may waive retired pay in the amount of the pension or compensation. (Reference Chapter 4, AR 135-180 for additional guidance).

3-4. Survivor Benefits:

a. Survivor benefits are discussed in Chapter 3, AR 135-180.

b. KNGR 608-9 (Personal Affairs, Survivor Benefit Plan) implements the Survivor Benefit Plan (SBP). All commanders, personnel officers, adjutants general and full time administrative technicians of the Kansas Army National Guard must be familiar with this plan to the degree that they can provide sound counseling and advice to all individuals who seek guidance.

c. Presently, reserve component service members must receive notification of eligibility for retired pay before selecting an annuity option for their dependents. Several months may elapse between the time the service member attains 20 years of creditable service for retirement and receipt of the notification and execution of the DD Form 1883. In the event the service member should die during this interim period, the status of the surviving dependent's(s') eligibility for an annuity is questionable. Relief is available from the RC-SBP Board at RCPAC. Claims should be submitted directly to Reserve Component Personnel and Administration Center, Attn: DARC-RAS, 9700 Page Boulevard, St Louis, Missouri, 63132-5200. Claims must include a death certificate, marriage license, the letter of Notification of Eligibility for Retired Pay at Age 60 and DD Form 1884.

3-5. Medical Care:

a. Persons authorized retired pay under AR 135-180 and their dependents as defined in Title 10, U.S.C., Section 1072, are authorized medical care

benefits in medical facilities of the uniformed services under the provisions of Title 10, U.S.C., Section 1074(b) and 1076(b) as amended by Section 2 of the Military Medical Benefits Amendments of 1966 (Public Law 89-614).

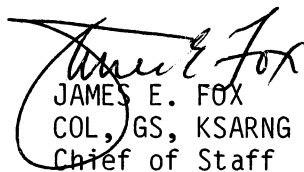
b. Retired members, their wives (husbands), and children are also authorized civilian medical care benefits under the provisions of Public Law 89-614 with the Government paying a major portion of the cost. Such persons lose eligibility for civilian health benefits under this program when they become eligible for social security hospital insurance benefits.

3-6. Commissary and Exchange Privileges. Persons authorized retired pay under AR 135-180 and their legal dependents are authorized commissary and exchange privileges.

THE PROPONENT OF THIS REGULATION IS THE OFFICE OF THE ADJUTANT GENERAL OF KANSAS. USERS ARE INVITED TO SEND COMMENTS AND SUGGESTED IMPROVEMENTS TO THE ADJUTANT GENERAL OF KANSAS, ATTN: DOP, P O BOX C-300, TOPEKA, KANSAS 66612-0300.

BY ORDER OF THE GOVERNOR:

OFFICIAL:


JAMES E. FOX
COL, GS, KSARNG
Chief of Staff

PHILIP B. FINLEY
MG, KSARNG
The Adjutant General

DISTRIBUTION:

A

APPENDIX A, KNGR 135-180

(Unit Heading & Address)

(Date)

SUBJECT: Request for Notification of Eligibility for Retired Pay for
Members of Reserve Components

The Adjutant General of Kansas
ATTN: AGKS-DOP
P O Box C-300
Topeka, KS 66601-0300

1. References:

- a. KNGR 135-180, dated 8 March 1985.
- b. Paragraph 2-3, AR 135-180, dated 22 August 1974, as changed.

2. In accordance with above references, the undersigned requests notification of eligibility for retired pay. The following claim of service has been completed by myself:

PRIOR TO 1 JULY 1949

<u>ARMED FORCES AND COMPONENT</u>	<u>DATE OF ENL, IND, APT</u>	<u>DATE OF DISCH</u>	<u>RANK & SSN</u>
_____	_____	_____	_____
_____	_____	_____	_____

SUBSEQUENT TO 30 JUNE 1949

<u>ARMED FORCES AND COMPONENT</u>	<u>DATE OF ENL, IND, APT</u>	<u>DATE OF DISCH</u>	<u>RANK & SSN</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

* _____ Incls

(Signature of Applicant)

*Provide copy of NGB Form 23, discharge certificates, DD Forms 214s, etc. to substantiate service claimed, if possible.

AGO Kan Form 18 (Revised 8 Mar 85)

DATA REQUIRED BY THE PRIVACY ACT OF 1974

(5 U.S.C. 552a)

TITLE OF FORM

Request for Notification of Eligibility for Retired Pay for Members
of Reserve Components

PRESCRIBING DIRECTIVE

KNGR 135-180 & AR
135-180

1. AUTHORITY

10 U. S. C., Section 1331

2. PRINCIPAL PURPOSE(S)

The request for Notification of Eligibility for Retired Pay for Members of Reserve Components is used to verify the individual's completion of 20 or more years of qualifying Federal Service. Based on the verification the individual member is notified that he has met the criteria and is eligible for retirement at age 60.

3. ROUTINE USES

This form when submitted by you to the Adjutant General of Kansas is a request for verification of eligibility for retired pay at age 60. The service you claim is verified with records maintained at State AG's Office, National Guard Bureau, and the U.S. Army Reserve Components Personnel and Administration Center. Upon completion of verification a member is notified as to whether he meets eligibility requirements for retirement.

4. MANDATORY OR VOLUNTARY DISCLOSURE AND EFFECT ON INDIVIDUAL NOT PROVIDING INFORMATION

Disclosure of SSN is mandatory for identification of records maintained at the Adjutant General's Office, State of Kansas, National Guard Bureau, and the US Army Reserve Components Personnel and Administration Center.

INFORMATION SHEET-RETIRED PAY APPLICATION

1. Reference AR 135-180.
2. In the event all service cannot be substantiated, DD Form 108 is to be completed by the applicant to the best of his knowledge and the commander. U.S. Army Reserve Components Personnel and Administration Center, 9700 Page Boulevard, St. Louis, Missouri, 63132, will verify service by correspondence with The Adjutant General of the various states for National Guard service and with appropriate agencies in case of service with other branches.
3. Creditable service for retired pay is explained in paragraph 2-8, AR 135-180.
4. Computation of retired pay is fully explained in paragraph 2-11, AR 135-180.
5. Retired pay commences the day upon attaining age 60 or any day thereafter.
6. DD Forms 108 are to be prepared as indicated by the attached "Sample". It is important that service prior to 1 July 1949 be placed in the upper portion of DD Form 108 and service subsequent to 1 July 1949 be placed in the lower portion. DA Form 4240 will also be completed. Completion of DD Form 4240 is self explanatory.
7. Prior to receiving retirement pay, an individual normally is provided a packet of information with which to assist in completion of applications for identification cards and general information concerning retired pay and related benefits.

APPLICATION FOR RETIRED PAY BENEFITS						<i>See reverse side for Instructions and Privacy Act Statement.</i>						Form Approved OMB No. 0704-0051 Expires Oct 31, 1989					
1. TO						2. DATE OF BIRTH						3. DATE RETIRED PAY TO BEGIN					
						4. HIGHEST GRADE HELD											
5. APPLICANT NAME (Last, First, Middle Initial)						6.a. SERVICE NUMBER (if applicable)						6.b. SOCIAL SECURITY NUMBER					
7. PRESENT HOME ADDRESS (Street, City, State and Zip Code)						8. PRESENT ASSIGNMENT											
SERVICE BEFORE 1 JULY 1949																	
9. ARMED FORCE AND COMPONENT			10. GRADE OR RATING			11. APPROXIMATE DATES OF SERVICE						12. ACTIVE DUTY					
						a. FROM			b. TO			a. FROM			b. TO		
						DAY	MONTH	YEAR	DAY	MONTH	YEAR	DAY	MONTH	YEAR	DAY	MONTH	YEAR
SERVICE AFTER 30 JUNE 1949																	
13. RETIREMENT YEAR						14. ARMED FORCE AND COMPONENT		15. GRADE OR RATING		16. ACTIVE DUTY						17. RETIREMENT POINTS EARNED	
a. FROM			b. TO							a. FROM			b. TO				
DAY	MONTH	YEAR	DAY	MONTH	YEAR					DAY	MONTH	YEAR	DAY	MONTH	YEAR		
18. SIGNATURE												19. DATE SIGNED					

INSTRUCTIONS

This form is to be submitted in one copy (*duplicate for Naval personnel*). Entries must be typewritten or hand printed. Brief instructions for making entries on the reverse side are provided below in numerical order. Submission of official statements of service is not required. If all information required is not readily available, prepare form to the best of your ability.

ITEM 1 - Addresses of Headquarters of Armed Forces for purpose of forwarding application for retired pay are listed below. Application will be addressed to the Armed Force in which you are presently (or were last) a member.

ARMY: Commander
United States Army Reserve Personnel Center
9700 Page Boulevard, St Louis, MO 63132-5200

NAVY: Commanding Officer
Naval Reserve Personnel Center (Code 25)
New Orleans, LA 70149-0001

AIR FORCE: United States Air Force Military Personnel
Center (AFPMPR)
Building 499 C
Randolph Air Force Base, TX 78148-9997

MARINE CORPS: Commandant
United States Marine Corps
(Code MMSR-5)
Washington, DC 20380-0001

COAST GUARD: Commandant
United States Coast Guard (SP-4)
Washington, DC 20593-0001

ITEM 9 - Enter the Armed Force and component for periods of service covered in Item 11. Example: "Army, USAR" "Navy, USNR." All enlisted service will include organization to which you were assigned. For National Guard service, include name of state.

ITEM 10 - Enter the highest grade or rating held during each period of service shown in Item 11.

ITEM 11 - Enter approximate dates of each individual period of service. Example: 2 May 1936 to 1 May 1939; 20 Oct 1942 to 15 Nov 1946.

ITEM 12 - Enter inclusive dates of all periods of active duty performed during each individual period of service indicated in Item 11.

ITEM 13 - Enter inclusive dates of each individual year of service performed after 30 June 1949. Example: If you were a member of a reserve component on 1 July 1949, your retirement year will be from 1 July 1949 to 30 June 1950, your second year will be 1 July 1950 to 30 June 1951, etc. If you were not a reservist on 1 July 1949 or have had a break in service since that time, your retirement year will begin on the date of acquiring an active status in a reserve component and end one year later. Example: 15 Sep 1956 to 14 Sep 1957.

ITEM 14 - Enter the Armed Force and component in which you served during each year as shown in Item 13. All enlisted service will also include the organization to which you were assigned during the year specified, and, in case of National Guard service, name of state.

ITEM 15 - Enter highest grade or rating held during each year of service shown in Item 13.

ITEM 16 - Enter inclusive dates of all periods of active duty, including active duty for training, performed during the year or years indicated in Item 13.

ITEM 17 - Enter the total retirement points earned for each period shown in Item 13. This total to include points earned through drills, correspondence courses, active duty, membership, etc.

ITEM 18 - Place your signature in this space. Signature appearing therein must coincide with the name shown in Item 4.

ITEM 19 - Insert date application is prepared.

ITEM 2 - Enter correct date of birth (*proof of date of birth may be required before final action is taken on application*).

ITEM 3 - Enter date you desire retired pay to begin (*can not be before age 60*).

ITEM 4 - Enter your name in the order indicated.

ITEM 5 - Enter highest grade or rating held in Armed Forces.

ITEM 6.a. - Enter service (serial) number. If you have been a member of more than one Armed Force, enter the service number of each, i.e. "2 532 430 ARMY" and "603-1-91 NAVY."

ITEM 6.b. - Enter your Social Security Number.

ITEM 7 - Enter your present home address.

ITEM 8 - Enter the complete designation of your present organization. If you are presently a member of a National Guard organization, give name of state. If not a member of a reserve organization, enter "none."

NOTE: Primary purpose of Items 9 through 17 is to enable reviewing authority to verify service which may not be of record.

Privacy Act Statement

AUTHORITY: 10 U.S.C. 1331; EO 9397, November 1943 (SSN).

PRINCIPAL PURPOSE: Used by members and former members of the Reserve Components to apply for retired pay at age 60. Application is reviewed to determine eligibility.

ROUTINE USES: Information provided by the individual is used to:

- Identify the individual and his or her service record.
- Determine eligibility for retired pay under 10 U.S.C. 1331.
- Determine effective date that retired pay can and will commence.

DISCLOSURE: Voluntary; however, unless this form is completed, the individual will not receive retired pay.